

**BOARD OF ADA COUNTY COMMISSIONERS
MINUTES OF THE PUBLIC HEARING
WEDNESDAY, DECEMBER 9, 2015
6:00 P.M.**

The Board of Ada County Commissioners (Board) met this date in the Ada County Public Hearing Room of the Ada County Courthouse Complex. Staff members present: Mark Perfect, Angie Gilman and Kristy Inselman, Development Services; and Kale Gans, Prosecuting Attorney's Office. Minutes Recorder: Angel Dicus.

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- I. IN THE MATTER OF CALL TO ORDER:**
Commissioner Jim Tibbs called the meeting to order at 6:00 p.m.
- II. IN THE MATTER OF ROLL CALL:**
Commissioners Jim Tibbs, Rick Yzaguirre and David L. Case were present.
- III. IN THE MATTER OF CHANGES TO THE AGENDA:**
There were no changes to the agenda.
- IV. IN THE MATTER OF NEW BUSINESS:**
1. **201503397-S, DENNIS CHARTERS:** An application for a two lot subdivision (Rio Ranch Estates #2). The property is located at 6900 W. Charters Ln. Melba ID 83641 and contains 20 acres; T. 1S., R. 1W., Section 6

M. Perfect requested this application be tabled to January 13, 2016, due to non-compliance with sign posting requirements.

ACTION: D. CASE MOVED TO TABLE APPLICATION NO. 201503397-S, DENNIS CHARTERS TO JANUARY 13, 2016, DUE TO NON-COMPLIANCE WITH SIGN POSTING REQUIREMENTS. R. YZAGUIRRE SECONDED. D. CASE, AYE, R. YZAGUIRRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.
 2. **201503495-ZOA, ADA COUNTY:** A zoning ordinance text amendment to amend Chapter 3, Article F (Flood Hazard Overlay District) and Chapter 4, Article D (Private Roads) of the Ada County Code. The proposed amendment to Chapter 3, Article F, consists of adding language requiring that the floodway carrying capacity shall not be diminished and adjacent properties shall not be adversely impacted by development, allowing minor grading to bypass the LOMC process in A & D zones, adding a section to grant relief from elevation or dry flood-proofing requirements for minor accessory and agricultural structures (if a set of standards are met), and adding AE zone to drainage (inadvertently left out). The proposed amendments to Chapter 4, Article D, is to revise the size of crushed gravel to be three quarter inch (3/4") minus and removing 8-4D-4.B.1.2.e as it is never applied

J. Tibbs opened the public hearing.

K. Inselman presented the Staff report and entered a late exhibit into the record.

[There was no public testimony.]

J. Tibbs closed the public hearing.

R. Yzaguirre thanked Staff for all of their work on this application.

ACTION: R. YZAGUIRRE MOVED TO APPROVE APPLICATION NO. 201503495-ZOA, ADA COUNTY, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW CONTAINED IN THE STAFF REPORT. D. CASE SECONDED.

DISCUSSION: J. TIBBS AND D. CASE THANKED STAFF FOR ALL OF THEIR WORK.

ACTION: R. YZAGUIRRE, AYE, D. CASE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.

3. **201503828-CU-MSP-V, HARRIS FAMILY TRUST:** A Conditional Use and Master Site Plan application for a Centralized Power Facility, which consists of 20Mwac solar photovoltaic and a Variance application for the facility to exceed 5% property coverage for the solar units. The property contains 638.72 acres and is located on S. Cole Rd., Kuna, ID 83634, T. 2N., R. 1E., Section 36

J. Tibbs opened the public hearing.

K. Inselman presented the Staff report and requested Item (B), (2), of the Findings of Facts be corrected due to an incorrect date of the neighborhood meeting.

Ben Fairbanks, Applicant, stated his name and address for the record. He gave a brief history of the SunEdison and Orchard Ranch Solar, LLC Company. He explained how the PV Solar Energy facility works, including the construction sequence and described the project. He stated the project meets all requirements.

Andy Winkle stated his name and address for the record. He inquired what constitutes the use of the variance.

B. Fairbanks reproached the podium to address issues raised in previous testimony.

D. Case asked A. Winkle to clarify his question.

A. Winkle asked why the 30% variance is needed.


The parties discussed why the variance is needed and how it affects the project, landscaping requirements and project life.

J. Tibbs closed the public hearing.

ACTION: D. CASE MOVED TO APPROVE APPLICATION NO. 201503828-CU-MSP-V, HARRIS FAMILY TRUST, BASED ON THE FINDINGS OF FACT AND CONCLUSIONS OF LAW CONTAINED IN THE STAFF REPORT AND TESTIMONY PROVIDED; AND DIRECT STAFF TO AMEND THE FINDINGS OF FACT TO REFLECT THE NEIGHBORHOOD MEETING WAS CONDUCTED ON OCTOBER 14, 2015. R. YZAGUIRE SECONDED. D. CASE, AYE, R. YZAGUIRE, AYE, AND J. TIBBS, AYE. THE MOTION CARRIED UNANIMOUSLY.


V. IN THE MATTER OF ADJOURNMENT:

There being no further business to come before the Board on this date, the meeting was adjourned at 6:41 p.m.



Jim Tibbs, Chairman

ATTEST:



Christopher D. Rich, Ada County Clerk